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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

JASON FYK,
Plaintiff,
v.
FACEBOOK, INC.,
Defendant.

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FACEBOOK, INC.

Case No. 4:18-cv-05159-JSW

**STIPULATION AND ~~[PROPOSED]~~
ORDERBXXFYK REGARDING ONE
WEEK ENLARGEMENT OF TIME FOR
PLAINTIFF TO FILE A BRIEF IN
RESPONSE TO FACEBOOK'S MOTION
TO DISMISS THAT COMPLIES WITH
APPLICABLE PAGE LIMITS, AND
ENLARGEMENT OF RELATED
DEADLINES AS MODIFIED**

Judge: Hon. Jeffrey S. White

Date Complaint Filed: August 22, 2018
Trial Date: Not set

1 Plaintiff Jason Fyk and Defendant Facebook, Inc., by and through their respective
2 counsel, hereby stipulate as follows:

3 WHEREAS, on November 1, 2018, Facebook filed a Motion to Dismiss Plaintiff's
4 Complaint [Dkt. # 20];

5 WHEREAS, the Court subsequently endorsed the parties' stipulation that (1) Plaintiff's
6 Motion to Dismiss response deadline would be extended to December 7, 2018, and (2)
7 Facebook's reply deadline would be extended to December 21, 2018 [Dkt. # 24];

8 WHEREAS, the hearing on Facebook's Motion to Dismiss is presently set for February 1,
9 2019 [D.I. #24];

10 WHEREAS, on December 7, 2018, Plaintiff filed a 25-page response brief in opposition
11 to Facebook's Motion to Dismiss [Dkt. # 25];

12 WHEREAS, Plaintiff's response brief, filed on December 7, 2018, exceeds the 15-page
13 limit set forth in Paragraph 7 of the Court's Civil Standing Order;

14 WHEREAS, having met and conferred, the parties hereby stipulate that (1) Plaintiff will
15 file an amended response brief that complies with the applicable page limit on or before
16 December 14, 2018; and (2) Facebook will file its reply brief on or before December 28, 2018;

17 WHEREAS, if convenient for the Court, the parties have agreed that the February 1, 2019
18 hearing date may be maintained.

19
20 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED that:

21 (1) Plaintiff Jason Fyk may file an amended brief in response to Facebook's Motion to
22 Dismiss on or before December 14, 2018;

23 (2) Defendant Facebook, Inc.'s time to file its reply in support of its Motion to Dismiss is
24 extended to December 28, 2018.

1 Dated: December 14, 2018

2 By: /s/ Jeffrey L. Greyber (with permission)
3 CONSTANCE J. YU (SBN 182704)
4 PUTTERMAN LANDRY + YU LLP

5 SEAN R. CALLAGY (*Pro Hac Vice*)
6 MICHAEL J. SMIKUN (*Pro Hac Vice*)
7 JEFFREY L. GREYBER (*Pro Hac Vice*)
8 CALLAGY LAW, P.C.

9 Attorneys for Plaintiff
10 JASON FYK

11 Dated: December 14, 2018

12 By: /s/ William S. Hicks
13 MATAN SHACHAM (SBN 262348)
14 WILLIAM S. HICKS (SBN 256095)
15 KEKER, VAN NEST & PETERS LLP

16 Attorneys for Defendant
17 FACEBOOK, INC.

18 **FILER'S ATTESTATION**

19 I, William S. Hick, am the ECF user whose identification and password are being used to
20 file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that the
21 signatories of this document have concurred in this filing.


22 /s/ William S. Hicks
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~~PROPOSED~~ ORDER

This cause having come before the Court on the parties' December 14, 2018 Stipulation Regarding One Week Enlargement of Time for Plaintiff to File a Brief in Response to Facebook's Motion to Dismiss that Complies with Applicable Page Limits, and Enlargement of Related Deadlines, the Court hereby endorses the parties' Stipulation as follows: (1) Plaintiff Jason Fyk may file an amended brief in response to Facebook's Motion to Dismiss on or before December 14, 2018; and (2) Defendant Facebook, Inc.'s time to file its reply in support of its Motion to Dismiss is extended to December 28, 2018. The hearing on the motion shall be continued to April 5, 2019 at 9:00 a.m.

IT IS SO ORDERED.

Dated: December, 17, 2018


Jeffery S. White
United States District Judge